



Colorado River Guidelines

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

The U. S. Army Corps of Engineers regulates the discharge of dredged and/or fill material (concrete, riprap, soil, cement block, gravel, sand, etc.) into waters of the U. S. including adjacent wetlands under Section 404 of the Clean Water Act and work and/or structures in or affecting (above, over, under) a navigable water of the U. S. (e.g. the Colorado River, its impoundments, sloughs, backwaters, old channels, oxbows, etc.) under Section 10 of the River and Harbor Act of 1899. Increased development along the Colorado River has resulted in increased impacts to the aquatic ecosystem. In an effort to minimize the cumulative effects of shoreline development, the Corps, in coordination with other Federal and State resource agencies, has developed the following general guidelines for your use in planning your shoreline project(s). Specific permits issued for the listed activities may contain special conditions; if a nationwide permit is applicable, the general conditions and any added special conditions are also applicable. Proposed projects that meet the guidelines may be authorized under a Nationwide Permit (NWP) or Letter of Permission (LOP) (expedited processing). Those that do not meet the guidelines will be processed under an individual permit.

In order to maintain native shorelines currently undeveloped or minimally developed, the Corps typically limits shoreline developments within subdivisions to a community dock and/or community ramp and not allow individual shoreline projects below the ordinary high water mark (OHWM). The Corps can advise you if your area falls within the limited development reaches of the river but typically these areas include downstream of Topock to Parker Dam and downstream of Headgate Rock Dam with the exception of Big River and some Colorado River Indian Tribes (CRIT) leased concessions. **Please be advised the Corps has an issued Policy Guidance precluding the removal of Bureau of Reclamation (BoR) riprap below the OHWM. Removal of BoR riprap above the OHWM requires written approval from the BoR. Please contact Mr. Chris Wallis at (928) 343-8215 or cwallis@usbr.gov.**

The types of activities requiring permits from the Corps include but are not limited to docks, fishing piers, swimming platforms, ramps, retaining walls, beach creation/enhancement, excavation/dredging, buoy placement, cantilevered decks, boat/jet ski lifts, and generally any activity which occurs below or breaches the plane of the OHWM. Specific guidelines for categories of work are addressed below.

BOAT DOCKS/SWIMMING PLATFORMS/BOAT LIFTS

1. Only one dock per owner/lessee for contiguous lots will be considered. Most docks/platforms should be floating but may be anchored by driven (hydraulic or pneumatic) pilings. Stationary docks may be authorized depending on location; piers to support the dock shall be driven (hydraulic or pneumatic) pilings. Permits will be issued to the owner of the lot only. Structures must be placed attached to the owner's property and cannot deny access to adjacent owners' riverfront. Docks and gangways(catwalks) may not be attached to existing Bureau of Reclamation or other previously authorized (by the Corps) jetties.
2. Newly constructed docks in Arizona must be approved by the Arizona State Land Department at (602) 542-4631 if any portion of the dock including pilings attaches to State Land.
3. There is a \$500 mitigation fee for new boat docks. A cashier's check or money order (no personal checks) made payable to the "La Paz County Endangered Species Fund" should be submitted with the application to the Corps.

4. No exposed styrofoam on docks/platforms will be authorized.
5. Docks may not extend out into the river further than 25' from the OHWM or a retaining wall, *whichever is less*. Swimming platforms must be within 10' of the shoreline. Both structures must have a 5' setback from the upstream and downstream property lines.
6. Cantilevered decks/docks may not exceed 50' in length or the length of the property *whichever is less* and 5' in width.
7. Docks/platforms which have not previously been permitted but need to be replaced must first be authorized. Previously permitted docks may be replaced in kind (same configuration, size, locations, etc.) but require written notification to the Corps prior to replacement. Modifications to size and configuration may be considered on a case-by-case basis and may require new or additional mitigation.
8. Slips, unless part of a community dock or authorized marina, are not eligible to be authorized under a NWP/LOP. Only single arm docks (approximately 20'l parallel to the river and 8-10'w) with a gangway/catwalk are permissible. On currently existing, previously authorized slips with authorized boat lifts or covers, boat lifts must be fully contained within the slip and may not extend out past any portion of it. This also applies to any covers over docks or slips.
9. Boat docks and boat ramps at the same property shall no longer be authorized by a NWP/LOP unless there is an extenuating circumstance (i.e. no community launching facility within several miles of the property); otherwise, the property owner shall determine if it is more advantageous to have a dock or a ramp.

FISHING PIERS

1. Fishing piers may be stationary but must be pile-driven supported with no discharge of concrete for footing.
2. If floating, fishing piers may not contain exposed styrofoam.

RAMPS

1. Individual, personal ramps cannot be wider than 20' including the site preparation required for the ramp. In accordance with Section 401 certification conditions for the nationwide permit for boat ramps, the Arizona Department of Environmental Quality requires ramps to be precast and moved into place.
2. Individual ramps are discouraged in locations where a local community ramp is available and easily accessed.
3. A ramp and dock on the same lot will no longer be authorized in locations where community ramps are easily accessed.
4. There is a \$500 mitigation fee for boat ramps. A cashier's check or money order (no personal checks) made payable to the "La Paz County Endangered Species Fund" should be submitted with the application to the Corps.

RETAINING WALLS

1. Footing for retaining walls should be poured at the OHWM and the front of the wall (including decks) should not extend out past the OHWM. Walls which are constructed below the OHWM in Arizona, must obtain a license to encroach on State lands from the Arizona State Land Department (602) 542-4631.
2. Material excavated for the footing of a retaining wall must be stockpiled on the land side of the wall, **not** the river side.

3. Retaining walls at the OHWM will only be authorized in areas where erosion of the shoreline is occurring. Retaining walls used only for aesthetic or recreational purposes shall be constructed above the OHWM.
4. Retaining walls shall not result in net fill above existing grade within the regulatory floodway.
5. Retaining walls exceeding four feet in height shall be designed/reviewed by a licensed professional engineer.

For work on private, not Tribal lands, Section 401 water quality certification must first be obtained from the Arizona Department of Environmental Quality (ADEQ) or the California Regional Water Quality Control Board (CRWQCB). Points of contact are listed under “General Guidelines” below.

BEACH CREATION/ENHANCEMENT

1. The excavation of native shorelines to create a beach may not exceed 10 cubic yards below the OHWM and shall not occur on Bureau of Reclamation armored banklines (see #3 below)
2. The discharge of sand for beach creation or enhancement may not occur below the OHWM.
3. Riprap placed by the Bureau of Reclamation may not be removed above the OHWM for beach creation/enhancement without prior approval from the Bureau. **Except in extenuating circumstances, the removal of Bureau of Reclamation riprap below the OHWM will not be authorized in accordance with the Los Angeles District’s Policy Guidance on Removal of Armored Banklines. Please contact Mr. Chris Wallis at (928) 343-8215 or cwallis@usbr.gov.**

JETTIES

1. In general, unless a significant safety issue exists, the Corps will not authorize the construction of jetties at private residences due to the cumulative impacts caused by these structures including the resultant change to river flows, accumulation of sediments, and navigation hazards.
2. It is illegal to change any jetty constructed by the Bureau of Reclamation without prior authorization from the Corps and the Bureau. Unauthorized activities include adding rock, gunite, cement block; changing the size, configuration, or location of a jetty; or removal of a jetty in part or whole.

EXCAVATION/DREDGING

1. Excavation/dredging below the OHWM may not exceed 25 cubic yards for individual landowners. A permit must be issued by the Corps prior to the activity.
2. All excavated/dredged material must be immediately disposed of at an upland disposal site outside of the regulatory floodway limits and may not be discharged into the river.

BUOYS

1. “No-wake” or speed limit buoys must be U.S. Coast Guard-approved type installed in accordance with Coast Guard and Arizona Game and Fish Department regulations in addition to Corps regulations.
2. Individual balloon or other type mooring buoys may not be permanently installed and must be removed when not being used to prevent navigation hazards.

CANTILEVERED DECKS, STAIRS, ETC.

1. These activities are regulated by the Corps and shall not be a navigation hazard. Therefore, decks shall not extend out past the OHWM more than 5' and shall not exceed 50' in length or the length of the lot *whichever is less*; stairs should end at the OHWM.

GENERAL GUIDELINES FOR ALL ACTIVITIES

1. All permits must be obtained prior to the onset of the activity. Please allow 6-8 weeks to obtain a permit. Most permits issued by the Corps do not have fees; however, there is a \$500 mitigation fee for new boat docks and boat ramps.
2. Disturbance to native vegetation must be minimized; cattails and/or other wetland vegetation shall not be removed.
3. Mechanized equipment (rubber-tired or tracked vehicles) should not be positioned below the OHWM. The equipment should be staged above the OHWM and then reach down and work back towards the land.
4. Work may not occur in the wetted perimeter of the river with the exception of installation of floating structures. For other projects such as ramps, retaining walls, beaches, etc., the area must be naturally dewatered in order for the work to occur and should stop if water levels rise into the project area.
5. All projects on Tribal lands must be approved by the appropriate Tribe. The points of contact are:

Colorado River Indian Tribes:

Mr. Guillermo Garcia, (928) 669-1315; Email: guillermo.garcia@crit-nsn.gov

Chemehuevi Indian Tribe:

Realty & Planning (928) 208-7124; Email: tribe@citlink.net or planner@cit-nsn.gov
Environmental Department (760) 858-1140 (638 Projects and EPA Region 9)

Fort Mojave Indian Tribe:

Realty Department (928) 330-5103

Quechan Indian Tribe:

Environmental Department, Chase Choate (760) 572-2969;
Email: c.choate@quechantribe.com

Cocopah Indian Tribe:

Jen Alspach, Environmental Protection Office Director (928) 627-2025;
Email: alspachj@cocopah.com

6. Some categories of work may require section 401 water quality certification from one or more of the following three agencies:

Arizona:

ADEQ, Ms. Laurie (Rosi) Sherrill (602) 771-4409; Email: sherrill.lauri@azdeq.gov

California:

CRWQCB, Mr. Kai Dunn (760) 776-8986; Email: Kai.Dunn@waterboards.ca.gov
CRWQCB: Mr. Logan Raub (760) 776-8966; Email: Logan.Raub@waterboards.ca.gov

Tribal Lands:

U. S. Environmental Protection Agency, Ms. Melissa Scianni (213) 244-1817;

Email: scianni.melissa@epa.gov

7. Seawalls, buoys, jetties, piers, boat ramps, retaining walls and any other structures or fill which occur at or below the OHWM of the Colorado River on the Arizona side and make contact with the streambed a "license to encroach" on State Sovereign Land from ASLD Rights-of-Way Section. Residential boat docks must be permitted through ASLD Water Rights Section, while community/commercial boat docks must be permitted through the ASLD Commercial Sales and Leasing Section. The points of contact to determine if this is required at a specific property are:

Residential Boat Dock Applications: ASLD, Water Rights Section, Mr. Tim Gibson at (602) 542-4631 or tgibson@azland.gov

Licenses to Encroach on State Land: ASLD, Rights-of-Way Section, Ruben Ojeda at (602) 542-4631 or rojeda@azland.gov

Commercial/Community Boat Dock Applications: ASLD Commercial Sales and Leasing at (602) 542-4631

General Permit Information: <https://land.az.gov/applications-permits>

PENALTIES:

Potential civil penalties for violations of section 404 are \$22,585 per violation with a maximum of \$56,461 per day. Potential criminal penalties for Negligent Violations of section 404 are a maximum of \$25,000 per day and/or one year imprisonment increasing to \$50,000 per day and/or two years imprisonment for subsequent convictions. Potential criminal penalties for Knowing Violations are a maximum of \$50,000 per day and/or three years imprisonment increasing to \$100,000 per day and/or six years imprisonment for subsequent convictions. Under section 10, misdemeanor level offenses carry fines of up to \$100,000 per day for individuals and \$200,000 per day for corporations and/or a maximum one year imprisonment. Violations of section 401/401 and 404 have a mandatory minimum fine of \$500 and persons may be fined, imprisoned, or both. The Corps may also require complete restoration of a site. The Corps hopes these guidelines will assist you. Please note they may not be comprehensive for all situations and are subject to change. We appreciate your interest in our Nation's water resources and your participation in the regulatory program of the U. S. Army Corps of Engineers, Los Angeles District.

Additional permitting information, including applications, may be found at our website at <https://www.spl.usace.army.mil/Missions/Regulatory/Permit-Process>. Completed applications should be submitted via email to splregulatoryaz@usace.army.mil.

Hard copy applications are discouraged, as the office is entirely digital; submitting application in hard copy may delay processing time. Mitigation funding should be submitted to the following address:

U. S. Army Corps of Engineers
Regulatory Division
3636 N. Central Avenue, Suite 900
Phoenix, Arizona 85012

Questions may be addressed to Therese Carpenter at (602) 230-6952 or via email at anne.t.carpenter@usace.army.mil.

Remember, Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.



Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
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